

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

F I L E D
JAN 23 2025
CLERK'S OFFICE
DETROIT

DERRICK LEE CARDELLO-SMITH,
Plaintiff,

File # 5:24-12647

Vs
SEAN COMBS,
Defendant,

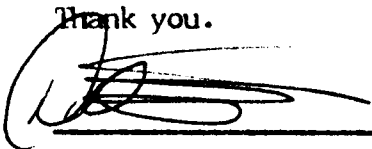
hon. Judith Levy

PLAINTIFFS RESPONSE TO THE DEFENDANTS MOTION FOR SANCTIONS

Plaintiff, Derrick Lee Cardello-Smith, responding to the Defendant Sean Combs Motion for Sanctions and Completely Rejects the Defendants Motion and Asks this court to deny the relief sought by the defendants and to allow this case to proceed on its own merits that have been presented by plaintiff into this Court, and Plaintiff states that the Truth of the Matter is that, The Defendant Sean Combs, has went on NATIONAL NEWS ADMITTING THAT HE IS A LIAR WHEN HE ADMITTED TO BEATING CASSANDRA "CASSIE" VENTURA and is ON VIDEO BEATING HER, and Plaintiff Submits to this court the Response against Sanctions and other relief sought by the defendants and requests that this Court deny the relief sought by the defendants lawyers and grant relief in favor of the Plaintiff as detailed within the Brief in support.

Thank you.

12-27-24


Mr. Derrick Lee Cardello-Smith
#267009
E.C. Brooks Correctional Facility
2500 S. Sheridan Drive
Muskegon, MI 49444

PLAINTIFFS ANSWER TO DEFENDANTS STATEMENT OF ISSUES PRESENTED

1. No, the Court should not sanction the plaintiff by making the plaintiff a restricted filer, when plaintiff has done nothing wrong and for the reasons in this Answer.

2. No, the court should not sanction plaintiff under the All Writs Act because the Constitution states that the WRIT OF HABEAS CORPUS SHALL NEVER BE SUSPENDED and for the reasons detailed in this response..

3. No the court should not grant any attorney fees to the defendant, because they filed this Notice of Removal to the Federal court and everything that came out of it is their fault and Plaintiff is only providing the court with all the facts and documents and evidence and also, the defendants lawyers have not provided this Court with a DETAILED BILL OF COSTS, as must be done when motioning for attorney fees and that is a waiver, and also, THERE IS AND HAS BEEN NO FINAL JUDGMENT IN THIS CASE, so there should not be any attorney fees argued in this matter.

BRIEF IN SUPPORT.

ARGUMENTS AGAINST SANCTIONS AND OTHER RELIEF SOUGHT BY THE DEFENDANT:

. Plaintiff Rejects the Defendants Motion for Sanctions as basless and in fact, it violates this Plaintiffs Constitutional Right to to have Courts hear plaintiffs case and most espically, when a Defendant as Notorious as Defendant Combs is, it is imperative that plaintiffs protected conduct is not infringed upon by the Defendant, as has been done, and Plaintiff further states that the Claims raised by the Defendants in the Motion for Sanctions is baseless and filled with lies, and only retaliation because the Plaintiff told the truth in the trial court and also told the truth in this court.

The Defendants Motion for Sanctions Should be denied based on the following numbered grounds.

1. Defendant Is an Admitted Liar and when he denied Raping this Plaintiff, it is a Lia and his history of lies are proven by his Own Words and theVidoe of him Lying.

1. The Defendant has been proven as a Liar when he said that he 'Never Beat Cassandra Ventura, and yet, he is on Video in the Hotel Beating Her, as has been shown ALL OVER THE EARTH.

2. Defendant Combs LIED WHEN HE SAID HE NEVER PHYSICALLY ASSAULTED HER, IS PROOF THAT THE DEFENDANT HAS A PATTERN OF LYING ABOUT PAST ASSAULTS JUST AS HE HAS LIED ABOUT ASSAULTING THIS PLAINTIFF, and the proof is his own admissions and as a result of that lie and video showing himbeating Cassie, there is no basis for the Sanctions to be imposed by this Court and further plaintiff states these other reasons.

3. Plaintiff States that the Defendants Arguments that this Plaintiff should be Required to be a Restricted Filer requiring that this Plaintiff obtain permission from the court prior to all furtyure filings is one that is simply done by these defendants to PREVENT AND HARM THE PLAINTIFFS ABILITY TO GET THIS FULL CASE HEARD AND HAVE THE

COURT HEAR ALL THE FACTS and they should be ashamed of themselves because they are wrong for this attempt to stop this Plaintiff from bringing all facts to this Court and it should be rejected because the only reason it is being done is out of retaliation for the Plaintiff bringing the Truth and all facts to this Court about their horrible, disgusting client who committed rape upon this Plaintiff and has destroyed this Plaintiffs life in every way imaginable.

4. Plaintiff states that the Plaintiff has in fact shown that he has no problem Seeking Permission from this Court nor any court PRIOR TO FILING ANY PLEADINGS as the record reflects this Plaintiff has Filed 'Motions for Leave to File Many Documents' and has sought this Courts Permission by filing the Motions First and done so with all respect to this court and has no problem whatsoever complying with this factor, and will continue to do so in this case and any case as that the Plaintiff respects and honors what the Court Rules Require to be done and has not abused anything in this Court, nor any other court whatsoever, and will in fact comply with anything that this Court seeks to be done and brought in this manner of getting permisison from this Court.

5. Plaintiff also states that while the Plaintiff is a Restricted filer in the Western District of Michigan, Plaintiff has Fully Complied With the Western Districts Orders and done so accordingly and, that the reason why plaintiff was labeled a restricted filer was due to 'Habeas Corpus Challenges to this Plaintiffs Many Criminal convictions that plaintiff Appealed over the years", those are the factors that resulted in the Restricted Filer and Plaintiffs Probable Cause Conference Arguments held in the Federal Courts of the Western District, and that Court decided to Consolidate those cases and make them one and limit the Plaintiffs filings to One District judge and One Magistrate Judge and Plaintiff has fully complied with every facet of that Courts Decision making on Restricted Filer arguments, and plaintiff intends to always comply with anything that the District Court Imposes or Restricted upon this Plaintiff, to honor and respect the Court always.

6. Plaintiff states that the tree different lawsuits agianst Defendant combs detail INDIVIDUAL ACTION OF BREACH OF CONTRACT AND HAVE OTHER PLAINTIFFS ATTACHED TO THEM, as the Court can view themselves... For example, There is a BREACH OF CONTRACT DISPUTE BETWEEN PLAINTIFF,

WITH OTHER PLAINTIFFS AND DEFENDANT COMBS WITH OTHER DEFENDANTS, and Then there is the one of BREACH OF CONTRACT BETWEEN THIS PLAINTIFF AND DEFENDANT COMBS DIRECTLY AND THEN THERE IS THE SEXUAL ASSAULT LAWSUIT BETWEEN THIS PLAINTIFF AND DEFENDANT, each of these cases are DIFFERENT IN THEIR OWN, and they are before the individual courts on their own merits and those cases have been sent back and plaintiff is currently complying with the Courts Decisions and Requirements in those cases, as that they are EACH INDIVIDUALLY ON THEIR OWN MERITS.

7. Plaintiff states that the Defendants Enactment of 28 U.S.C. § 1927 is clearly an attempt to Silence this Plaintiff, Victim and Witness to the Corrupt, crimes, and detestable acts committed upon the Plaintiff by the Defendant and it will not stand and this court should not entertain their attempts to FRAUDULENTLY GET THIS COURT TO AWARD SANCTIONS AGAINST THIS PLAINTIFF who is simply Making sure that the Court has ALL THE FACTS BEFORE MAKING A FINALITY OF DETERMINATION of their alleged facts.

8. This Attempt at Sanctions against this Plaintiff is the same method used by the Defendant and his Lawyers all over the US where they FILE FOR SANCTIONS AND THEN ALLEGE THAT IT IS A MONEY GRAB, FRAUD, EXTORTION OR THINGS OF THAT NATURE when in fact, The ONLY FRAUD, EXTORTION AND MONEY GRAB THAT HAVE TAKEN PLACE are THOSE OF THE DEFENDANT and He is an Extortionist, Fraud, Rapist, Murderer and most certainly A LIAR and his OWN WORDS HAVE SHOWN HE IS, JUST LOOK AT THE CASSIE VIDEO, since the Defendants lawyers wish to make their claims, well, the Plaintiff states that they are fraudsters because they ARE KNOWINGLY ALLOW A DEFENDANT WHO HAS ADMITTED TO LYING IN THE PUBLIC ARENA ABOUT A BRUTAL PHYSICAL ASSAULT and yet, they still represent him and then CALL ME A RAPIST!!!

9. defendants are asking the Court to Also Restrict this Plaintiff when in fact the Plaintiff has properly conducted every effort to present his case fully, they are abusing the Court Rules to their advantage to try and alter the outcome of this matter when in fact, they should not and are not legally able to do it, because THEY ARE REPRESENTING A KNOWN LIAR AND A SELF ADMITTED LIAR IN SEAN COMBS.--- This man is an attacker who HAS ADMITTED TO LYING, LITERALLY OPENLY ADMITTED IT AND THERE IS VIDEO OF HIM DOING IT, IT CANNOT GET ANY SIMPLER

THEN THAT, but they still want to Violate Their Oaths and FURTHER HIS FELONIES THAT HE HAS COMMITTED AND TRY TO SILENCE ME IN EVERY WAY IMAGINABLE, and that is wrong, because I WILL NOT BE SILENCED, I AM A VICTIM OF SEAN COMBS BRUTALLY RAPING ME IN 1997 AFTER TAKING MY MONEY FROM ME FOR INVESTMENTS INTO HIS COMPANY, SO HE IS A FRAUDSTER AND HE HAS EXTORTED ME INTO KEEPING QUIET ABOUT IT FOR DECADES BY THREATS OF WIPING OUT MY FAMILY, and I have to say that, it is something that Should not be allowed to be used to mislead this court with the Defendants Simple lies and attempts to Sanction em and Stop me from getting my cases heard before the Courts.

10. Plaintiff states that every case I have ever filed whether they were denied or granted OR SETTLED WITH ME BY THE MDOC, I had constitutional Rights that were violated and the COURTS AGREED THAT I HAD STATED CLAIMS AT THE INITIAL PROCEEDINGS OF THE CASES AND SERVED THE DEFENDANTS, and If there was nothing at the time, then those Particular Judges never would have ordered those cases to be served on the defendants, and a vast majority of them were dismissed and the appeals of those lawsuits were lost as well, but that still does not mean i did not have claims at the time, it just means that I lost Summary disposition on those cases because the Attorney Generals For those MDOC Defendants had better arguments and lawyers then I did, that is why I lost those cases.

11. The Criminal Appeals I filed in the Federal courts were all rightfully filed cases that I had rights to do and challenging my NO CONTEST PLEA CASES that I have still fought and While I have lost a vast majority of those cases, I had every right to seek State and Federal review of the Convictions and Sentences and not have those used against me in any case, but the Defendants lawyers did not list that on their arguments and grounds for sanctions, but this Plaintiff certainly will not snad by and allow this defendant nor his lawyers to lie to this court without the court knowing all the facts as to why those Cases were filed and why they were denied, each case is decided on its own and I HAVE BEEN CONVICTED OF CRIMES THAT I DID NOT DO AND MY FIGHT FOR THAT JUSTICE IS IN THOSE COURTS, ANTHOSE JUDGES And to have these lawyers Bring this into the fight is despicable, but, they are doing what they can for their client, and if that means they have to lie, then so be it,

the pleadings I have sent to this Court, I never told them to do anything on their own that they did not choose to do and as such, THEY at least they and their client are on the same page, so it can be what ARE THE ONES WHO TOOK THE DRASTIC ACTION OF GOING TO THE FEDERAL COURT is needs to be, all the way around for them both, but I will not stoop and they are the ones responsible for everything that they filed in this court, THEY ARE ONLY UPSET THAT I HAD ALL THIS DIRT ON THEIR CLIENT BECAUSE THEY WERE NOT MADE AWARE OF IT BY THEIR CLIENT AND NOW, IT IS BITING THEM TO KNOW I HAVE HAD THIS EVIDENCE FOR YEARS AND ACTING ON IT NOW, and that is all their fault, not this Plaintiffs Fault...So they should be held accountable for their own actions, not this plaintiff.

NEVER ADMITTED ANYTHING IN THE FORM OF A GUILTY PLEA, IT WAS NO CONTEST AND I HAVE WITHDRAWN THOSE PLEAS FOR YEARS AND STILL FIGHTING so that cannot compare to their client WHO HAS ADMITTED BEING A LIAR AND BEATER OF WOMEN AND WHO IS ON VIDEO BEATING A WOMAN, so they can just keep on representing their liar cleint and I will keep my fight where it belongs, in the court.

12. Defendants are upset because this Plaintiff has decided to call witnesses that can corroborate the Plaintiffs claims that he is a beater of Women and viewed a tape that shows he raped me, and he knows that Jennifer Lopez can attest to it, so he wants his lawyers to punish me for telling the truth, and that itself is a violation of every rule of ethics for a lawyer, and I should not be punished for bringing the case to the state court, nor should any person be punished for following the rules, unless it is in the service of an admitted liar which is what the defendant is.

13. Defendants are the ones responsible for this case being in this Court and all the results of everything that came out of it, THEY ARE THE ONES WHO FILED TO HAVE IT REMOVED TO THE FEDERAL COURT, not the Plaintiff, so they should be responsible for their own fees in this matter. Noone told them to File a Notice of Removal, I never told them to file a Motion to Dismiss, I never told them to file their answers to the pleadings I have sent to this Court, I never told them to do anything on their own that they did not choose to do and as such, THEY ARE THE ONES WHO TOOK THE DRASTIC ACTION OF GOING TO THE FEDERAL COURT and they are the ones responsible for everything that they filed in this court, THEY ARE ONLY UPSET THAT I HAD ALL THIS DIRT ON THEIR CLIENT BECAUSE THEY WERE NOT MADE AWARE OF IT BY THEIR CLIENT AND NOW, IT IS BITING THEM TO KNOW I HAVE HAD THIS EVIDENCE FOR YEARS AND ACTING ON IT NOW, and that is all their fault, not this Plaintiffs Fault...So they should be held accountable for their own actions, not this plaintiff.

14. Plaintiff states that this Case was originally filed in the Lenawee County Circuit Court and it is where the Plaintiff was granted a

default judgment against Defendant Sean Combs, and where the case was originally at, prior to the defendants deciding to take it to the federal court, and for them to say that the Plaintiff did not make any of these claims in the trial court is insane because quite frankly, the Plaintiff did not have a need to, when the Plaintiff had won, plaintiff was prepared for a Jury Trial in the Lower Court, if necessary, but it was not what happened so there was no trial and the Plaintiff decided to make sure that this Honorable Court had the entire record, documents, and facts to render a full decision on the entire case, and that is why the Plaintiff has these documents in this court, also, ONLY BECAUSE THE DEFENDANTS MOVED IT TO THIS COURT and not the Plaintiff.

15. Plaintiff states that there is an issue as to why the Plaintiff filed the original case in 2 State Courts and the Defendants have continually stopped from bringing that Ground to this Court and are using it as a means to say that there are MULTIPLE PLEADINGS IN THE COURTS AGAINST DEFENDANT COMBS... Plaintiff worked at Fishbones in Detroit which is located on MONROE AND BRUSH, and when Plaintiff was preparing the original filing in the Trial Courts, plaintiff incorrectly put MONROE CIRCUIT COURT and then mailed it out and then when Plaintiff realized it had went to the Monroe Circuit Court, it was too late, because it had already been processed through the prison mailing system which is out of control of the plaintiff...

Plaintiff has been traumatized by this and so many other factors that a Simple Mistake of Placing MONROE CIRCUIT COURT on a Court Filing and The Place where the First Meeting with Sean Combs and this Plaintiff is located on MONROE is something very serious and traumatic and a simple misspelled word and incorrect entry, for which the plaintiff never acted on, and Plaintiff never served it and literally paid that filing fee in Monroe but it was a mistake, but the defendants do not mention that and yet, I am the one mentioning it because I am being honest with the Court as I have always been in every single step of the way from 1997 to this day and will always be...

16. Defendants have also stated that plaintiff should pay their attorney fees because this case has been VERY EXPENSIVE ON THEIR CLIENT--their client is worth ALMOST A BILLION DOLLARS AS THEY HAVE BRAGGED SO STAUNCHLY ABOUT IN THEIR FILINGS and yet, they have only filed less than

10 Filings with this Court, they filed 1 Motion to Dismiss, and some answers to filings and they have filed this Motion for Sanctions, so 2 motions...I ask this court, WHERE IS THIS SO CALLED EXPENSIVE LITIGATION IN THIS CASE???? They have only worked one court thus far, here and I have to say that their actions taken this far do not show EXTENSIVE LITIGATION, in fact, I am A PAUPER PRISONER WITH MONEY AND I HAVE FILED MORE MOTIONS AND DONE MORE WORK ON THIS CASE FROM A STATE PRISON WITH NO LAWYERS AND I HAVE NOT SPENT ANYTHING EXCEPT THE POSTAGE TO MAKE THE DOCUMENTS AND MY PAPER AND MY TYPING AND INK EXPENSES TO PROSECUTE THIS CASE WHICH WAS WON IN STATE COURT PRIOR TO THIS COURT.

17. Defendants have manipulated the facts to try and manipulate this Court with there PRELIMINARY STATEMENT on page 1 where they said that THE COURTS HAVE DENIED THIS PLAINTIFFS REQUEST TO PROCEED IN FORMA PAUPERIS BASED ON DISMISSALS IN EVERY COURT when the main basis for the denial of those requests is because THIS PLAINTIFF HAS HAD THREE COURT CASES DECIDED FOR FAILURE TO STATE A CLAIM, and everyone knows that when there is a FAILURE TO STATE A CLAIM, ON 3 CASES, THE PRISONER CANNOT PROCEED UNLESS IT THERE IS GREAT IMMEDIATE OR IMMINENT DANGER and then the Plaintiff must pay all the filing fees in advance before plaintiff can proceed, and Plaintiff has been paying every single filing fee for every single case that this Plaintiff has ever fight, and believe me, every fight i paid for is because I BELIEVED IN THEM AND JUST LOST FOR OTHER REASONS, NOT BECAUSE OF THE COURT NOT WANTING THE FILING FEES WAIVED... So the defendant should get this right in their Claims and NOT MISLEAD THE COURT..., but they do not care about the truth, and this is proven by their own representation of an admitted Liar and a Woman Beater in Their Client Sean Combs, this proves that they have no ethics or morals and ONLY CARE ABOUT MONEY, not the victim, this defendants lawyers only care about money and it is shown and proven in this matter at this point and it is wrong on their part.

19. Plaintiff maintains that the Defendants are lying to this court because they are working for a liar and every action that they have taken since he denied the rape is a lie and has been a lie and they continue to lie and it makes one wonder why? Why do they knowingly represent a Self-Professed and Proven Liar, and the only answer is because THEY ONLY CARE ABOUT MONEY! This is not about that, they do not

want the full proof heard in open court and they do not want the public knowing or seeing the proof that this plaintiff has provided to this Court ALL AS A RESULT OF THE DEFENDANTS OWN ACTIONS TO SEND THIS CASE TO FEDERAL COURT...they cannot have it to where they get to take the case to federal court on their own and not the plaintiff and then when the plaintiff provides the proof to this court try and punish the plaintiff for it...it does not work that way, A COURT IS HERE TO SETTLE DISPUTES AND RIGHT WRONGS AND TO HEAR AND HAVE ALL THE FACTS and the Plaintiff has provided all the fact, while the defendants have only provided the court with STATEMENTS, LIES AND FALSEHOODS THAT HAVE BEEN DISPROVEN BY THEIR OWN CLIENTS WORDS AND ACTIONS WHERE HE IS ON VIDEO BEATING CASSIE VENTURA, and for that reason the court should deny entirely their motion for sanctions.

20. Defendants lawyers have said that the Plaintiff is undeterred and they are correct because I have been in the pursuit of justice for what this man did to me since 1997 and Like any case where a crime is committed upon a person, THE POLICE ARE UNDETERRED AND SO AM I! So the Defendant believes that a person who seeks justice for crimes and rapes done upon them should just NOT DO IT and LAY BACK AND LET THAT BE THE END OF IT all the way throughout that persons entire life, well, not this Plaintiff.

21. First of all the defendants cannot say any other case that this plaintiff has filed was ever vexatious or anything as that they were not there when the events happened and they are not experts on anything else, in fact, PLAINTIFF STATES THAT THEY ARE SIMPLY WORKING ON CAHOOTS WITH THE DEFENDANT TO TRY AND SILENCE ME, but that is not what the ALL WRITS ACT IS FOR and Plaintiff has been a legal writer in prison working for himself and other prisoners for years and guess what, that means suing officers and that makes the plaintiff a target of those officers and that means the plaintiff has had to file suits since being incarcerated for almost 30 years, and for the Defendants to act as though they are the GOD OF LAWSUITS AND GOD OF PREDICTING FURTHER FUTURE CASES OR EVENTS WELL THAT MAKES THEM NOT ONLY ARROGANT BUT FOOLS AS WELL and most importantly LIARS..

22. Plaintiff rejects the defendants Procedural and factual backgrounds because the Plaintiffs Word Processor added Monroe to the

case when it was Adrian and Plaintiff TESTIFIED IN COURT IT WAS ADRIAN AND TESTIFIED TO THAT MISTAKE and yet the defendants have failed to properly argue those facts and omitted it from this court on their own initiative and deliberately and that is more proof of their focused mission to silence this Plaintiff, no matter what because their client is in fact a liar and They are liars too...

23. Plaintiff states that the Defendants have lied on page 4 of their motion where on lines 1-4 they said that the Visitor Logs show that no such visits had occurred and yet when you look at the Visitor Logs Submitted by the Defendants themselves, it shows 2 people visiting and it shows the TIME IN AND TIME OUT, BUT NOTHING IS THERE! There is no way on earth a Prison Visitor Log will NOT HAVE THE TIME IN FOR THAT VISITOR AND TIME OUT and the documents submitted by the Defendants Lawyer is a FORGED DOCUMENT AND ANOTHER LIE TO GET THIS COURT TO DO AN ACT AGAINST THIS PLAINTIFF, it is terrible and it is something that they should be sanctioned about and told about by this court because they are wrong for it and should be treated as such.

24. Defendants have a problem with this Plaintiff filing legal motions in this court that the plaintiff has a right to file and there is nothing wrong with any motion that this plaintiff filed, who are they to file a Motion to Dismiss and then tell the Plaintiff that he cannot file a motion? They are noone and they are NOT BETTER THEN ME AND I AM NOT BETTER THEN THEM, JUSTICE IS BLIND AND FAIR and Plaintiff states that what is going on is DAVID FINK AND THE OTHER LAWYERS KNOW THAT THEY HAVE A CASE THAT THEY TRANSFERRED AND THEY MESSED UP BECAUSE NOW IT HAS OPENED THE DOOR UP TO THE TRUTH ABOUT THEIR CLIENT AND THEY ARE SIMPLY CRYING AND HOWLING BECAUSE I AM A FIGHTER AND A LITIGANT THAT JUST SO HAPPENS TO BE IN PRISON, and All they can say is that I have filed motions near daily, well, These events happened for many years and I am fighting to make sure that the court has everything and if that means filing documents daily then so be it, I am in prison and cannot deliver it to the court myself so I have to do the work in a prison schedule that I have and not like the ones that the defendants have where they can go home everyday, and have other people do the work... I have to file my rightful motions and I am asking this Court to review them and see that they are filed properly and correctly and I have not done anything

wrong, they are just mad because they know I am right and have a strong argument against Dismissal and they arrogantly thought that they could just get their case heard in federal court and then get it dismissed, well, they thought wrong because I was raped by their client and I am a fighter and have shown it and I will fight all the way, no matter what.

25. Plaintiff rejects all the claims raised by the defendants on pages thru 9 as that they are just a list of claims that detail what the plaintiff has filed and these lawyers for Mr. Coombs have no idea of what happened in 1997 and they can deny it all they want, BUT THIS RAPE HAPPENED AND IT WAS DONE BY THEIR CLIENT UPON THIS PLAINTIFF and they know it did and they know he is a liar.

26. Plaintiff states that the Defendant himself has Multiplied this Case on their own initiative when they TOOK THE ORIGINAL LENAWEE COUNTY CASE AND THEN REMOVED IT TO THE FEDERAL COURT, and as such, THE PLAINTIFF DID NOT ASK FOR THE CASE TO BE IN FEDERAL COURT, BUT IT WAS ASSIGNED A NEW CASE NUMBER and THEY DID IT THEMSELVES AND AS SUCH, THEY HAVE MULTIPLIED THIS CASE AND BASED ON THEIR OWN WORDS, THEY SHOULD BE SANCTIONED FOR MULTIPLYING THIS CASE FIRST AND NOT BE ALLOWED TO JUST HAVE THEIR ACT OF MULTIPLYING IT BE OVERLOOKED AND THEN THIS PLAINTIFF BE PUNISHED FOR MY ACTION WHEN IT WAS LEGALLY WITHIN MY RIGHTS TO SUE HIM FOR BREACH OF CONTRACT AND RAPE IN DIFFERENT CASES.

27. Plaintiff states that the grounds for different actions involve 2 different Sovereigns and 2 different constitutional rights that Plaintiff has exercised on plaintiffs entire legal history, and that is, THE STATE CONSTITUTION AND THE FEDERAL CONSTITUTION which are both individually on their own, and not to be mixed up with each other, so if this court reviews this claim raised by the Defendant, they must see that it is 2 DIFFERENT JURISDICTIONS AND 2 DIFFERENT VIOLATIONS OF THIS PLAINTIFFS RIGHTS WHICH HAVE TAKEN PLACE AND THE COURTS HAVE THESE MATTERS IN FRONT OF THEM AND HAVE HAD THEM AND RENDERED THEIR DECISIONS AND KEPT IT AS THEY SET THEM TO BE SET ON THE WAYS THAT THEY SET IT and now, the plaintiff maintains that the courts sovereignty should not and cannot be removed simply because of the Defendant wants this matter kept quiet and as such, plaintiff states that this Court should deny the defendants motions because they are seeking things based on rights to access courts and appeals rights that this plaintiff has had in the

past, and remarkably, the defendants lawyers only want one thing, which is to be allowed to just have all this kept quiet when it should not be kept quiet but the public should hear and see everything, and not have it hidden by these people who only want one thing, silence on their clients guilt.

28. Plaintiff does not believe that this claim being pursued is frivolous because of the fact that PLAINTIFF WAS RAPED BY DEFENDANT COMBS AND PLAINTIFFS HAS SO MUCH EVIDENCE AND PROOF OF THE RAPE AND PLAINTIFF BELIEVES A JURY SHOULD HEAR THIS CASE AND REVIEW THIS CASE AND A JURY SHOULD MAKE THE FINAL DECISION ON IT IN THIS COURT.

30. Defendants have claimed that the Court should impose a prefiling restriction on this plaintiff because of BAD FAITH CONDUCT-- Well, I reject that basis and any other basis because EVERYTHING I HAVE FOUGHT FOR AND FILED IN THIS COURT AND ANY OTHER COURT HAS ALWAYS BEEN DONE IN GOOD FAITH and NOT BAD FAITH, and the Defendants Moved this Case to the Federal Court so that they could GET IT DISMISSED and IN BAD FAITH, and most certainly their conduct has been done in BAD FAITH and they are completely acting in Bad faith by representing a Client that is lying and has lied and is an admitted liar and they know it and still have COMMITTED BAD FAITH FILINGS TO SILENCE ME AND AS A RAPE VICTIM, AND A RAPE SURVIVOR, I AM NOT GOING TO BE SILENCED BY LAWYERS WHO ONLY WANT MONEY AND DO NOT CARE ABOUT JUSTICE IN ANYWAY AT ALL, as they have shown that they are only interested in and continue to show it and they should be sanctioned for this because I have not acted in bad faith on any level whatsoever, not like they have.

31. Plaintiff rejects all the negative statements made by the Defendants lawyers on Pages 11 thru 14 and states that the Claims raised by this Plaintiff and placed in the documents were and are true then and are true now and the Plaintiff believes a JURY SHOULD DECIDE THIS CASE AND NOT THE DEFENDANT, NOR THE DEFENDANTS LAWYERS, NOR THE PLAINTIFF NOR THE COURT OF PUBLIC OPINION, or, in the alternative, PLAINTIFF WOULD ASK FOR THE COURT TO NOT DISMISS THE CASE, BUT TO IN FACT CONDUCT A BENCH TRIAL ON THESE MATTERS....THIS MAN RAPED ME AND THE EVIDENCE SUPPORTS IT AND IT SUPPORTS AN EXTENSIVE COVER-UP by DEFENDANT AND YES, HIGH RANKING WAYNE COUNTY OFFICIALS, WHO ARE GUILTY OF AIDING IN THE COVER UP AND SHOULD NOT BE CAST ASIDE SIMPLY BECAUSE THEY ARE

HIGH RANKING OFFICIALS, AND SIMPLY BECAUSE I AM A PRISONER.

32. Plaintiff states that the DEFENDANT AND PLAINTIFF DID ENTER INTO AN AGREEMENT WHERE \$150,000.00 DOLLARS WAS GIVEN TO DEFENDANT BY PLAINTIFF FOR 49% OF HIS ASSETS IN THE 30 years future where Plaintiff was ONE OF 10 YOUNG MEN BACK THEN THAT DID THIS ACTION and Plaintiff was one of 10 young black men who invested into this Company and were taken advantage of by this man who literally extorted money out of us and I was smart enough to get a receipt to prove it, and as such, THE PLAINTIFF SAYS THAT THIS RECEIPT IS TRUE AND REAL.

33. Defense counsel has OFFERED NOTHING TO DISPUTE THE DOCUMENT, THEY HAVE ONLY SAID, THIS DID NOT HAPPEN! Well, that does not dispute the documentary evidence that this Plaintiff has provided this court with and it does not in anyway at all support their claim that IT IS NOT TRUE and Plaintiff submits to this court that IT IS TRUE and IT DID HAPPEN and IT IS REAL and it Should be allowed to proceed forward on the merits that it has been proceeding on, where this Plaintiff is being deprived of justice by these lawyers and it must not be allowed to proceed any further on their actions.

34. Plaintiff STATES THAT THE RAPE HAPPENED, AND DEFENDANT COMBS AND HIGH RANKING OFFICIALS COVERED IT UP...RANK MEANS NOTHING IN THIS WORLD WE LIVE IN, AS THAT GANG MEMBERS, MORSTERS AND OTHER PEOPLE ARE HIGH RANKING IN THEIR POSITIONS, BUT THEY ARE STILL CAPABLE OF COMMITTING CRIMES AND RAPE AND MOST ASSUREDLY WAYNE COUNTY OFFICIALS ARE NOT IMMUNE TO THIS TYPE OF BEHAVIOR IN THE 1990's AND STAYING CLEAN NOW...IT DOES NOT GIVE THEM FORGIVENESS FOR THEIR PAST PARTICIPATION IN THIS HORRIFIC ACT AGAINST THIS PLAINTIFF.

35. Plaintiff states that the Defendant has claimed that the Witnesses and their Affidavits taken with a Notary Public is false and that they fabricated their testimony, well, Plaintiff rejects this statement and plaintiff states that the Defendant is most certainly lying even more and this court should conduct a hearing to get the Witnesses into this Court and get their testimony on record because there is a true dispute over this matter and there is nothing better to settle a dispute then the live testimony of the person being asked the questions and offering the testimony, but most certainly the defendants do not want that because it will prove ALL THE TESTIMONY THAT HAS BEEN

SAID IN THE PAST and NOW IN THIS COURTS AFFIDAVITS PENDING BEFORE IT, and the defendant does not get to simply say IT IS NOT TRUE and that is it, they are not the final word in this matter and the Court should allow a Jury to be the final word after all the evidence is heard.

36. Plaintiff states that the defendants claim on Page 19 of their motion for sanctions misleads the court and shows that they wish to make it a lie where on line 32 they say the date reveals its lie.....PLAINTIFF WAS in county jail in December 1997 and not convicted until 1998, so the dates are not in question, but the Defendants only decided to tell the court their own spin and yet, the court simply has to look and check OTIS and see that it was 1998 when the plaintiff came to prison but everything started in the end of 1997, so that claim is a clear demonstration of the defendants lies and how they are trying to spin the facts their way and not even get the truth, well, the plaintiff states that this court has the truth and it should be ruled in favor of this plaintiff, wholly.

37. Plaintiff states that the Witnesses are there to show the COVER UP AND ACTIONS OF THE DEFENDANT AND HIS ASSOCIATES AND WHAT THEY DID TO HIDE THIS RAPE THAT WAS COMMITTED UPON THIS PLAINTIFF IN 1997 AND WHAT HAS BEEN DONE SINCE THAT DATE.

38. Plaintiff states that the Court SHOULD NOT IMPOSE A PREFILING RESTRICTION UPON THIS PLAINTIFF as that every document that this plaintiff has made or ever made has been done in good faith and in truth and the defendants simply cannot understand what it is like to know the truth, because THEY ARE REPRESENTING A LIAR, A KNOWN AND SELF-ADMITTED LIAR--SEE DEFENDANTS ADMISSIONS OF HITTING CASSIE AND VIDEO OF HIM BEATING CASSIE BUT DENYING IT AT FIRST, THEN BEING PROVEN AS A LIAR.

39. Plaintiff hereby states that the court SHOULD NOT AWARD MONETARY SANCTIONS TO THE DEFENDANT as that the entire basis for the defendants rational is false and without merit since the PLAINTIFF did not bring this action,

40. Plaintiff further states that the Defendants have completely misrepresented and completely reported to this court false statements and they know their statements are false, because THEIR CLIENT HAS LIED AND ADMITTED TO BEING A LIAR and Plaintiff has only brought these pleadings to this court because it is the fault of the Defendants Lawyer dirty tactics to bring it to this court and then be shocked when I am

fighting to seek justice for myself, there are no attorney fees because their statements are the same filed by Mr. Combs lawyers in every other case for which he has been charged with raping someone and it is something that is still ongoing even as we speak, and it is plaintiffs statement that the defendiant raped me, they moved this case to the federal court, I filed everything because I am fighting for justice on the one chance I have and ask this Court to consider all the factors before it, and not allow me to be punished for bringing a case that I know I did not file originally in the federal court, but the defendants lawyers did and they are upset because I am telling the truth and they did not count on that, they simply counted on a Motion to Dismiss and then to let that be it, but I am telling the truth and this court has the truth in front of it and no sanctions in anyway should be imposed because the defendants have lied and this case is not even close to being over, so there are no attorney fees to be entered because no judgment, no final judgment that is, has been entered and of course, no bill of costs has been provided to this court for attorney fees and that is a requirement when a party seeks attorney fees and the rules State that the BILL OF COSTS MUST BE ATTACHED TO IT, and they have not done so, thereby waiving any attorney fee claims.

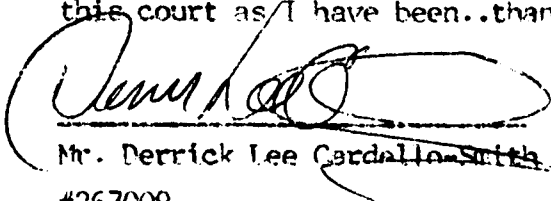
Conclusion, For these reasons listed, and for the fact that the plaintiff has told the truth and the defendants have lied to this court and not provided one piece of evidence to counter these claims, the plaintiff says this Court must deny the defendants Motions for Sanctions and deny any other relief they have sought.

Plaintiff has followed all the rules of this court and has given the court every single document and is now asking to not be punished for the actions of the defendants in bringing this case to the federal court, when it is their claim and their action that brought it here, not mine, and everything that they have said in denying these claims is subject to CROSS EXAMINATION and the Facts are what they are--I WAS RAPED BY THEIR CLIENT DEFENDANT SEAN COMBS, IT WAS COVERED UP, AND I HAVE HAD MY LIFE AND MY FAMILIES LIFE THREATENED, AND THE DEFENDANT SAYS IT DID NOT

HAPPEN, this creates a serious controversy and dispute and the Court must allow it to be decided by a Jury or a Bench Trial, and not by the Defendants Motions, designed to help their client escape justice for his rape upon me.

RELIEF SOUGHT

Wherefore, deny the defendants motion for sanctions entirely and allow this matter to proceed on its merits to trial and grant any other relief this court deem necessary and appropriate, and also plaintiff asks to not be a restricted filer, but I will comply with all orders of this court as I have been..thank you.



12-27-24

Mr. Derrick Lee Cardello-Smith

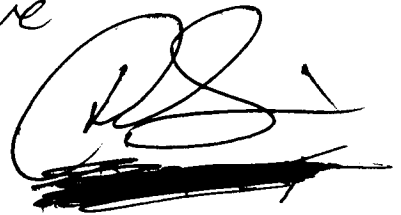
#267009

E.C. Brooks Correctional facility

2400 S. Sheridan Drive

Muskegon, MI 49444

~~Derrick Smith #367018~~
E.C. Brooks Corr. Facility
2500 S. Sheridan Drive
Muskegon, MI 49844

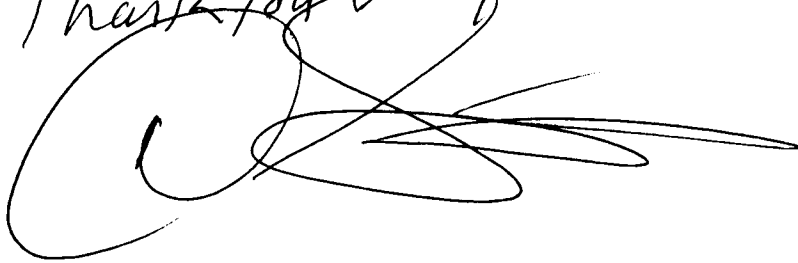


1-2-25

Clerk US District
231 W. LaFayette Blvd
Detroit, MI 48226
RE: Cardello-Smith-v-Combs
Case 5:24-12647

DEAR Clerk
Enclosed For Filing Are Documents For
Judge Levy-

Thank You Very Much.



Derrick Lee Landello Smith
#267009
E.C. Brooks Corr. Facility
2500 S. Sheridan Drive
Muskegon, MI 49444
Mailed on 1-2-25

MAIL ROOM

Clerk of the Court
U.S. District Court
Theodore Lee in U.S. Courthouse
Case Processing Section
231 W. Lafayette Blvd - Room 564
Detroit, MI 48226

